

SECTION H

BUILDING CODE/BUILDING ORDINANCE for the Town of Amherst (Enacted March 1983)

SECTION I Title

These regulations shall be known and cited as the Building Ordinance of the Town of Amherst, New Hampshire and shall be construed to insure public safety and health insofar as they are dependent upon building construction.

SECTION II Minimum Requirements

The provisions of this Ordinance shall be held to be the minimum requirements for the preservation of life and health and safety of the inhabitants of the Town of Amherst and shall be controlling as to all buildings and structures subject to this Ordinance, except where more stringent requirements are provided under the statutes of the State of New Hampshire.

SECTION III Other Town Regulations

No provisions of the Town Zoning Ordinance or any other legal statute pertaining to the location, use or construction of buildings shall be nullified by the provisions of this Ordinance.

SECTION IV Administration

The provisions of this Ordinance and enforcement of its requirements will be by the Board of Selectmen and/or the Building Official. When, in the course of administering the terms of this Ordinance, a question is raised as to detail not completely covered herein, reference to and conformance with the BOCA Basic Building Code as published by the Building Officials and Code Administrators International, Inc., in effect at the date of application for a building permit, shall be considered prima facie evidence of conformance with the objectives of this Ordinance. In the absence of a Building Official, the Board of Selectmen shall perform his duties.

SECTION V Permits

A permit issued by the Building Official shall be required before beginning operations of placement of foundations, alterations, repair, or placement on a lot of a building or structure. Applications for permits shall be submitted in such form as the Building Official prescribes and shall be signed by the Owner.

SECTION VI Plans

Applications for permits shall be accompanied by plans with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. The Building Official may waive the requirement for filing plans when the work involved is of a minor nature.

SECTION VII A. Performance

All work performed under Building Permits shall conform to the plans and specifications filed with the application.

SECTION VII B. Site Maintenance

Prior to the start of any construction on a site, provisions shall be made to properly manage and contain all solid waste and construction debris (i.e. construction, demolition and miscellaneous trash) to prevent such solid waste or debris from becoming a threat to public health and safety or a nuisance on the site or in the surrounding area. Proper management and containment shall include providing an enclosed area, covered container or other means, proportional to the job being done, to contain the solid waste or debris. Further, all solid waste and debris shall be placed in the enclosed area or container and the entire job site picked-up every day, including any solid waste or debris in the public ways surrounding the job site. All solid waste and debris is to be removed from the site for legal disposal prior to the issuance of a Certificate of Occupancy.

SECTION VIII Limitation of Permit

All permits expire two (2) years after date of approval.

SECTION IX Certificate of Occupancy

No building or structure erected or altered as specified in a permit issued under the terms of this Ordinance shall be occupied or used, as a whole or in part, until a Certificate of Occupancy has been issued by the Building Official. Upon the request of the holder of a permit, the Building Official may issue a temporary Certificate of Occupancy for a building or structure, or part thereof, before the entire work covered by the permit shall have been completed provided such portion or portions may be occupied safely prior to full completion of the building or structure without endangering life or public welfare.

SECTION X Board of Adjustment

An applicant for a building permit whose application has been refused by the Building Official, or parties who have been ordered by the Building Official to incur expense in connection with construction, or parties aggrieved by a decision of the Building Official on a matter left by this Ordinance to his approval or

discretion, may appeal from such action by filing within fourteen days from date of refusal, order or decision, a written appeal, signed by the owner of property involved, with the Zoning Board of Adjustment.

If the decision of the Building Official is affirmed by the Board of Adjustment, the ruling of the Building Official shall be final. If the action of the Building Official is modified or annulled, the Building Official shall issue a permit or order in accordance with the decision of the Board. The Board of Adjustment shall hold a public hearing on all appeals under the foregoing and shall give notice thereof in the manner required for appeals.

SECTION XI Saving Clause

Nothing in this Ordinance as adopted shall be construed to affect any suit or proceeding now in progress, or any rights acquired, or liability incurred, or any cause or causes of actions accrued or existing under any Town Ordinance.

SECTION XII Validity

The invalidity of any section or provision of this Ordinance, hereby adopted, shall not invalidate other sections or provisions thereof.

SECTION XIII Fees for Permits

A fee shall be charged for all permits issued under the terms of this Ordinance as determined by the Board of Selectmen.

SECTION XIV Enforcement

Upon any well founded information that this Ordinance is being violated, the Board of Selectmen shall, on their own initiative, take steps to enforce the provisions of this Ordinance by seeking an injunction in the Superior Court or by any other appropriate legal action. Whoever violates any of the provisions of this Ordinance shall be punished on conviction by a fine not exceeding \$50.00 for each day of delay in correcting the violation.

SECTION XV Effective Date

This Ordinance as amended shall become effective upon its passage and adoption by action of a regular Town Meeting.

SECTION XVI Building Code (Amended March 12, 1996)

Enacted pursuant to RSA 674L52, the BOCA National Building Code, as recommended and maintained by the Building Officials and Code Administrators International, Inc; specifically the edition published in 1993 together with any amendments thereto, incorporate the same by reference into its local ordinances (Penalties under RSA 676:15-17.)

SECTION XVII Plumbing

Reference to and compliance with the requirements of the BOCA Basic Building Code as published by the Building Officials and Code Administrators International, Inc., in effect at the date of application for a building permit, shall be considered prima facie evidence of conformance with the objectives of this Ordinance.

SECTION XVIII Electrical

Reference to and compliance with the requirements of the National Electrical Code, in effect at the date of application for a building permit, shall be considered prima facie evidence of conformance with the objectives of this Ordinance.
(Adopted March 1983)

SECTION I

Amherst Stormwater Regulation

1.1 Purpose and Goals

The purpose of this Regulation is to control runoff and soil erosion and sedimentation resulting from site construction and development and to comply with US Environmental Protection Agency (EPA) Stormwater Management legislation. This Regulation covers areas including but not limited to: Urbanized Areas, Critical Areas and the area designated by the EPA as a Municipal Separate Storm Sewer System (MS4) area. Subdivisions and site plans shall include plans for managing stormwater and controlling erosion and sedimentation as provided below.